

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

RUTH SMITH, Individually and as Widow for the)	
Use and Benefit of Herself and the Next Kin of)	
Richard Smith, Deceased,)	
)	
Plaintiff,)	Civil No. 3:05-0444
)	Judge Aleta A. Trauger
v.)	(Dist. Of MA No.
)	1:05-cv-11515PBS)
PFIZER, INC., <i>et al.</i> ,)	
)	
Defendants.)	

**DECLARATION OF AUBREY B. HARWELL IN SUPPORT OF
DEFENDANTS' EMERGENCY MOTION FOR CONTINUANCE OF TRIAL**

I, Aubrey B. Harwell, declare and state, under penalty of perjury, as follows:

1. I am a partner with the law firm of Neal and Harwell, PLC, counsel for Defendants Pfizer Inc and Warner-Lambert Company LLC. I make this declaration based on my own personal knowledge and information.

2. The officers of Neal and Harwell, PLC are located at 2000 One Nashville Place, 150 Fourth Avenue, North. The building is without electricity. We have been informed that the earliest power may be restored is Friday May 7, 2010 and very possibly not until during the weekend. We do not access to the building. This also is the location of the Defendant's trial office space. We do not have access to the trial materials moved to the location. Nor do we have remote access, even remotely, to our office emails or the computer servers housing documents related to the trial. This situation is adversely affecting Defendants' ability to prepare for trial now scheduled to begin May 11, 2010.

Signed this 4th day of May 2010.

/s/ Aubrey B. Harwell
Aubrey B. Harwell

CERTIFICATE OF SERVICE

I hereby certify that on this the 4th day of May 2010, I electronically filed the foregoing document with the Clerk of the Court, United States District Court for the Middle District of Tennessee, using the CM/ECF system. True and correct copies of the foregoing documents are being served via the Court's CM/ECF system on the following:

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